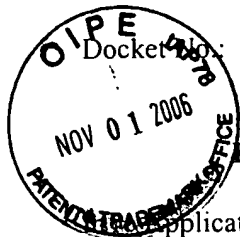


11-03-06

AP-  
IFW



Docket No.: 066655-0024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application of

Salbaum, J. Michael

Application No.: 09/754,997

Filed: January 04, 2001

Customer Number: 41552

Confirmation Number: 4685

Tech Center Art Unit: 1644

Examiner: Haddad, Maher M.

For: NOPE POLYPEPTIDES, ENCODING NUCLEIC ACIDS AND METHODS OF USE

**CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)**

"Express Mail" Mailing Label Number EV 643846752 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Nov 1, 2006.

Priscilla Zubia

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 4, 2006 of the Primary Examiner finally rejecting claims 9-15 and 20-42.

Appeal Fee: \$500.00



Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Astrid R. Spain

Registration No. 47,956

Please recognize our Customer No. 41552 as  
our correspondence address.

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San Diego, CA 92122  
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Date: November 1, 2006

SDO 52002-1.066655.0024